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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte KEN PRAYOON CHENG, KONG LI,
MASAHITO KAGAWA, and TORU MORI

Appeal 2009-005076
Application 10/609,987
Technology Center 2100

Decided: May 17, 2010

Before JOSEPH L. DIXON, HOWARD B. BLANKENSHIP, and THU A.
DANG, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-8, 10, 11, 16-18, 24-28, and 31-48. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

Invention

Appellants' invention relates to methods, systems and computer program products to display data in a selected language. A data record formatted in a language independent markup format is received and a style sheet associated with the selected language is retrieved. The data record is formatted based on the style sheet and the formatted data record is displayed in the selected language. Data is generated at a first data processing system that displays text in a first language. The data is provided to a second data processing system that displays text in a second language different from the first language by incorporating the data in a language independent markup document including an identification of a style sheet that specifies how to present the data in the second language. Abstract.

Representative Claims

1. A method for displaying data in a selected language, comprising:

receiving a data record formatted in a language independent markup format;

retrieving a style sheet associated with the selected language;

formatting the data record based on the style sheet; and

displaying the formatted data record in the selected language;

wherein the received data record comprises at least one of the following:

a message type selected from a plurality of message types each having

an associated style sheet and wherein retrieving a style sheet comprises retrieving a style sheet associated with the message type of the data record and with the selected language;

network resource utilization and/or event indicator data collected by an application manager agent at a remote location; or

a schema defining data and a style sheet identifier that identifies the style sheet and wherein retrieving a style sheet comprises retrieving a style sheet based on the style sheet identifier and wherein formatting the data record comprises formatting the data record based on the style sheet and the schema.

27. A method for providing data generated at a first data processing system that displays text in a first language to a second data processing system that displays text in a second language different from the first language, the method comprising:

generating data values at the first data processing system;

incorporating the generated data values in a language independent markup document, the language independent markup document including an identification of a style sheet that specifies how to present the data values in the second language, to provide the data record;

and

forwarding the data record from the first data processing system to the second data processing system.

Prior Art

Ferrel	US 5,860,073	Jan. 12, 1999
Vora	US 2004/0139388 A1	Jul. 15, 2004
Painter	EP 1300655 A2	Apr. 9, 2003

Microsoft Technet, *Comparing Windows XP Professional Multilingual Options*, (2001), available at <http://www.microsoft.com/technet/prodtechnol/winxppro/evaluate/muiovw.msp>.

Examiner's Rejections/Claim Status

Claims 1, 5-8, 10, 11, 16-18, 24-28, 30-32, 34, 37, 38, and 40-48 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Painter and Vora.¹

Claims 2-4, 36, and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Painter, Vora, and Ferrel.

Claims 33 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Painter, Vora, and Microsoft.

Claims 9, 12-15, 19-23, 29, and 49-58 have been withdrawn from consideration as being directed to a non-elected invention.

Claim Groupings

In view of Appellants' arguments in the Appeal Brief, we will decide the appeal on the basis of claims 1, 5, 18, 26, 27, and 42. *See* 37 C.F.R. § 41.37(c)(1)(vii).

PRINCIPAL ISSUE

Have Appellants shown that the Examiner erred in finding that the combination of Painter and Vora teaches retrieving a style sheet associated

¹ The statement of rejection (Ans. 3) includes claims 33 and 35 as being rejected over Painter and Vora, but these claims are not addressed in the body of the rejection. We conclude that claims 33 and 35 are rejected only over the combination of Painter, Vora, and Microsoft. *See* Ans. 16-17.

with the message type of the data record and with the selected language as recited in claim 1?

FINDINGS OF FACT

Painter

1. Painter teaches a navigation system including a navigation-related information server and customer-interface servers. The navigation-related information server uses geographic databases to formulate language and format independent XML data structures containing navigation-related information. The data structures are then sent to customer-interface servers. The customer-interface servers use XML style sheets to formulate the navigation-related information into language and format specific navigation instructions that are provided to end users. Abstract; ¶ [0001].

2. There is a continuing need to update the geographic data used by a navigation system. For example, new streets are built, road construction closes roads, detours are established, new businesses open, posted speed limits change, new turn restrictions are established at intersections, streets are renamed, and so on. These kinds of changes can affect travel through a geographic region. Accordingly, the geographic data used by a navigation system should be updated on a regular basis in order to accurately reflect changes in the represented geographic features. ¶ [0003].

3. A language and format independent data structure is transmitted from a navigation-related information server over a data network to a customer-interface server. When the customer-interface server receives the language and format independent data structure, a data conversion application extracts the data contained in the data structure. The data

conversion application then develops navigation instructions using the contents of the data structure. The navigation instructions are formed in a selected language of the end user. In addition, when forming the navigation instructions, the data conversion application formats the instructions for the requesting end user's computing platform. ¶ [0053].

4. For instance, when the language and format independent data structure that the data conversion application receives from the navigation-related information server is in the XML format, the data conversion application uses XML style sheets. The style sheets conform to the XML format used by the builder application. ¶ [0054].

5. The data conversion application provides the navigation instructions to the end user's computing platform in HTML format. The data conversion application includes a style sheet for this purpose. ¶ [0055].

Vora

6. Vora teaches a system that generates voice output for an application. The system receives a locale-independent symbolic representation of data to be output from the application, and obtains a locale attribute that identifies a version of a language that is spoken in the locale. Next, the system expands the symbolic representation into a fully articulated locale-specific textual representation of the data, and then associates the textual representation with one or more audio files containing locale-specific voice output corresponding to the textual representation. Abstract.

7. One challenge encountered by application developers is to output structured data in a format that is understood by users regardless of the locale. Structured data in this context can refer to any of a variety of data types ranging from primitive datatypes (i.e. integers, decimals, strings,

characters, etc.) to more complex combinations of primitive datatypes (e.g. dates, times, currencies, acronyms, and flight numbers). ¶ [0059].

8. The system provides a framework for generating a locale-specific voice output for an application. A transformation framework feeds data into an intermediate interpreter. This data is in a symbolic form, which is language-independent and locale-independent. ¶ [0063].

9. An intermediate interpreter feeds the data through an expansion mechanism, which expands the data into a fully articulated locale-specific textual representation of the data. For example, if the locale attribute has the value “en-US” for U.S. English, the date 2003-02-04 (in language-independent ISO standard 8601 format YYYY-MM-DD) can be expanded into fully articulated textual form in US English as “February fourth, two thousand three.” On the other hand, if the locale attribute has the value en-UK for English in the United Kingdom, the date 2003-02-04 can be expanded into fully articulated textual form in UK English as the “fourth of February, two thousand three.” Changing the locale attribute can also cause the date to be translated into fully articulated text in other languages besides English. ¶ [0064].

10. The system includes an application programming interface (API) for entering a command to convert the locale-independent symbolic representation into a specific language. This API is independent of locale and thus allows an application developer to invoke the API in a consistent manner from an application. ¶ [0068]; ¶ [0070] to ¶ [0080].

11. Converting the symbolic representation can be controlled through a cascading style sheet (css) where the locale and fields are pre-specified by the style. A date expansion would then be triggered by:

<css.date>4/2/2003</css>. This date is then expanded using the style sheet's locale and date fields. Each locale specific expander includes methods for expanding other forms of iconic information. For example, the cardinal number 1,000,000,000 will be rendered as one billion in U.S. English and as a thousand million in United Kingdom English. ¶ [0081] to ¶ [0083].

PRINCIPLES OF LAW

Claim Interpretation

The *claims* measure the invention. *See SRI Int'l v. Matsushita Elec. Corp.*, 775 F.2d 1107, 1121 (Fed. Cir. 1985) (en banc). During prosecution before the USPTO, claims are to be given their broadest reasonable interpretation, and the scope of a claim cannot be narrowed by reading disclosed limitations into the claim. *See In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997); *In re Zletz*, 893 F.2d 319, 321 (Fed. Cir. 1989); *In re Prater*, 415 F.2d 1393, 1404-05 (CCPA 1969).

“Giving claims their broadest reasonable construction ‘serves the public interest by reducing the possibility that claims, finally allowed, will be given broader scope than is justified.’” *In re Amer. Acad. of Sci. Tech Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004) (citations omitted). “An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.” *Zletz*, 893 F.2d at 322. “Construing claims broadly during prosecution is not unfair to the applicant . . . because the applicant has the opportunity to

amend the claims to obtain more precise claim coverage.” *Amer. Acad.*, 367 F.3d at 1364.

Obviousness

The question of obviousness is resolved on the basis of underlying factual determinations including (1) the scope and content of the prior art, (2) any differences between the claimed subject matter and the prior art, and (3) the level of skill in the art. *Graham v. John Deere Co.*, 383 U.S. 1, 17 (1966). “The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results.” *KSR Int’l Co. v. Teleflex, Inc.*, 550 U.S. 398, 416 (2007).

ANALYSIS

Section 103(a) rejection of claims 1-4, 6-8, 10, 11, 16, 17, 44, 45, and 47

Appellants contend that neither Painter nor Vora discloses or suggests “retrieving a style sheet associated with the message type of the data record and with the selected language” as recited in claim 1. App. Br. 5-6. Appellants contend that the phrase “message type” recited in claim 1 encompasses a type associated with data values included in the received data record. According to Appellants, examples of particular types of data values include date values, time values, strings, text characters, integer numbers, floating point numbers, and currency, as described on pages 22 and 23 of the Specification. Reply Br. 2-3. In contrast, Appellants contend that Vora discloses a single message type, not selected from any plurality of distinct types that may subsequently be used to generate a variety of selected output formats. App. Br. 6.

Vora teaches a “message type” within the meaning of claim 1. *See* FF 7, 11. Vora further teaches that a style sheet is retrieved that is associated with the message type of the data record and with the selected language. FF 9-11. Painter teaches a data conversion application for receiving a language and format independent data record, formatting the data record based on a style sheet, and displaying the formatted data record in the selected language. FF 1, 3-5. Including the various message types as taught by Vora in the data conversion application as taught by Painter appears to represent the combination of familiar elements according to known methods that does no more than yield the predictable result of displaying locale-specific representations of various message types.

Appellants have not provided separate arguments for the patentability of dependent claims 2-4, 6-8, 10, 11, 16, 17, and 45. Because we find the arguments for claim 1 unpersuasive, we sustain the Examiner’s § 103(a) rejection of claims 1-4, 6-8, 10, 11, 16, 17, 44, 45, and 47.

Section 103(a) rejection of claims 5, 24, and 25

Appellants contend that the locale attribute taught by Vora is “clearly different” from the local attribute as recited in claim 5. App. Br. 9. We find that Vora teaches a locale attribute specifying an associated one of the different languages within the meaning of claim 5. FF 9, 11. We therefore sustain the § 103(a) rejection of claims 5, 24, and 25.

Section 103(a) rejection of claim 26

Appellants contend that Painter’s navigation document that is capable of being edited is not sufficient to disclose or suggest use of a “collaborative

editing document” as recited in claim 26. In particular, Appellants contend that collaborative editing of Painter’s navigation document might make the navigation data unreliable. App. Br. 9. However, if the navigation data is not edited to reflect changes such as new streets, closed roads, or detours, the navigation data would become unreliable. FF 2. Therefore, Appellants have not provided evidence or persuasive arguments to distinguish the claimed “collaborative editing document” from the navigation document that is capable of being edited as taught by Painter. We sustain the § 103(a) rejection of claim 26.

Section 103(a) rejection of claim 18

Appellants contend that the scope of claim 18 is limited to “a management application ... directed to centralized viewing of data collected at a variety of locations in the managed environment” as described on Page 24 of the Specification. However, this phrase is not recited in claim 18 and we find no basis for reading this phrase into claim 18. The scope of claim 18 cannot be narrowed by reading the limitations disclosed on page 24 of the Specification into the claim. Appellants have failed to show error in the Examiner’s finding (Ans. 21) that the formatted data record taught by Painter is provided to a user’s device that includes a system management program. We sustain the § 103(a) rejection of claim 18.

Section 103(a) rejection of claims 27, 28, 30-41, 46, and 48

Appellants contend that the combination of Painter and Vora do not teach or suggest generating data values and further incorporating the generated data values and an identification of a style sheet in a language

independent markup document at a first data processing system, followed by forwarding the language independent markup document from the first data processing system to a second data processing system. App. Br. 7-8.

Vora teaches a voice output system that receives a symbolic representation of data to be outputted from an application, wherein the symbolic representation is locale-independent. FF 6, 8. Vora also teaches an application programming interface (API) for a specific language that allows an application developer to invoke the API in a consistent manner from an application. FF 10. The application programmer can enter a data conversion command that identifies a style sheet to convert data to a specific locale, such as the U.S. English locale. FF 9-11.

Appellants acknowledge that a cascading style sheet is taught in paragraph 81 of Vora, but contend that “[n]othing in this paragraph indicates the Expand operation is not initiated by the application programmer, just that a cascading style sheet may be used to control the expanding of the data.” Reply Br. 3. Appellants seem to imply that claim 27 precludes a programmer from using an API to identify the style sheet for the language independent markup document, but provide no basis for the unduly narrow claim interpretation.

Given that the API of Vora can be located either in the application that sends the locale-independent symbolic representation to the voice output system, or in the voice output system itself, Vora certainly suggests that the API for identifying the style sheet can be located in the application. Appellants have provided no evidence tending to show that including the API of Vora in an application that sends a locale-independent symbolic representation of data to the voice output system of Vora was “uniquely

challenging or difficult for one of ordinary skill in the art.” *Leapfrog Enters., Inc. v. Fisher-Price, Inc.*, 485 F.3d 1157, 1162 (Fed. Cir. 2007) (citing *KSR*, 550 U.S. at 418-19). The combination of Painter and Vora therefore teaches “incorporating the generated data values in a language independent markup document...including an identification of a style sheet...and forwarding the data record from the first data processing system to the second data processing system” within the meaning of claim 27.

Appellants have not provided separate arguments for the patentability of dependent claims 28, 30, and 31. Because we find the arguments for claim 27 unpersuasive, we sustain the § 103(a) rejection of claims 27, 28, 30, and 31.

Nor have Appellants provided separate arguments for the patentability of independent claims 32, 46, and 48, or for claims 33-41, which depend from claim 32. Because we find the arguments for claim 27 unpersuasive, we also sustain the § 103(a) rejections of claims 32-41, 46, and 48.

Section 103(a) rejection of claims 42 and 43

Appellants contend that Painter does not disclose or suggest “acquisition agent scripts.” App. Br. 10. The Examiner responds that paragraphs 53 through 55 of Painter teach this limitation. Ans. 21-22. Appellants’ Reply Brief does not address the Examiner’s finding. Appellants have not shown that the Examiner erred in finding that the combination of Painter and Vora teaches “acquisition agent scripts.” We thus sustain the § 103(a) rejection of claims 42 and 43.

CONCLUSION OF LAW

Appellants have not shown that the Examiner erred in finding that the combination of Painter and Vora teaches retrieving a style sheet associated with the message type of the data record and with the selected language as recited in claim 1.

DECISION

The rejection of claims 1, 5-8, 10, 11, 16-18, 24-28, 30-32, 34, 37, 38, and 40-48 under 35 U.S.C. § 103(a) as being unpatentable over Painter and Vora is affirmed.

The rejection of claims 2-4, 36, and 39 under 35 U.S.C. § 103(a) as being unpatentable over Painter, Vora, and Ferrel is affirmed.

The rejection of claims 33 and 35 under 35 U.S.C. § 103(a) as being unpatentable over Painter, Vora, and Microsoft is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 41.50(f).

AFFIRMED

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